

state to identify a reasonable period than to the benefit because of the nature of what occurred in my area just recently when we ran into inclement weather which made it almost impossible for the contractor to work. So what would normally have been reasonable became unreasonable. During that same period of time, it is reasonable to assume, I suppose, that is maybe overuse of the word, but that the business would not be quite as prolific as it would during a normal type of operation also. I have no strong feelings on it, but I guess I would hesitate to try to define what is reasonable. I would prefer to leave that to the discretion of the individuals that were involved and I think it would probably be easier to defend in the event that some unforeseen event occurred that denied access for a longer period than seven days. I think that we have seen, as I have mentioned, excellent attempts to cooperate in the past. In some instances it has not occurred but most of the time it does. But I have no strong feelings on it but I would prefer not to identify what is a reasonable period of time.

SENATOR WARNER: Well, I have an amendment up there to do that. I guess will offer the amendment so we can get it refined.

SPEAKER NICHOL: All right, we will go to the Warner amendment at this time.

CLERK: Mr. President, Senator Warner would move to amend the committee amendment. (Read Warner amendment as found on page 545 of the Legislative Journal.)

SPEAKER NICHOL: Senator Warner.

SENATOR WARNER: Well, again, I appreciate the goal that has been described but it is a different thing if you are putting something into statute. I don't know what the penalty is presumed to be. I assume there has to be some enforcement mechanism that is to be considered. At a minimum I would assume you could be dealing with a series of injunctions or some kind of court action to define it. It seems to me that some minimal amount of time is not unreasonable and that is the purpose of the amendment, to spell out at least...and work days, by the way, by a normal definition, if the weather is such that they cannot work, that is not considered a work day under...to my knowledge, under most contracts.